

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE:

PAMELA SMITH

DEBTOR

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**CASE NO. 18-15017 JDL
CHAPTER 13**

**MOTION TO SELL PROPERTY FREE AND CLEAR OF LIENS AND ENCUMBRANCES
AND BRIEF IN SUPPORT THEREOF
WITH NOTICE AND OPPORTUNITY FOR HEARING
AND NOTICE OF HEARING**

NOTICE OF OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. **If you do not want to the Court to grant the relief requested, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Ave., Oklahoma City, OK 73102, no later than 21 days from the date of this pleading.** You should also serve a file stamped copy of your response or objection to the undersigned movant/movant's attorney [and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

The 21-day period includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f)

NOTICE OF HEARING

A hearing on Debtor's Motion to Sell Property Free and Clear of Liens and Encumbrances shall be held on June 30, 2021, at 10:00 a.m. The location shall be the courtroom of the Honorable Janice D. Loyd, 2nd Floor Courtroom, 215 Dean A. McGee Ave., Oklahoma City, Oklahoma 73102.

COMES NOW Debtor Paula Puckett and respectfully requests that this Court allow her to sell property free and clear of liens and encumbrances pursuant to 11 USC §1303, which grants debtors the right to sell property pursuant to 11 USC §363(f). In support, Debtor states as follows:

1. Debtor owns certain real estate described as:

1327 Canterbury Blvd.
Altus, OK 73521

Legal description:

English Village Blk 4 Lot 31, Jackson County, State of Oklahoma

2. The real estate has been identified in Debtor's Schedule A and is not exempt because Debtor maintains a separate homestead. Debtor owns a one-third interest in such real estate by way of inheritance.
3. Debtor proposes to sell the property free and clear of any liens and encumbrances, and respectfully requests the Court's permission to do so. Debtor requests that her interest in proceeds from the sale be delivered directly by the Bailey's Abstract and Title Company to the Chapter 13 Trustee to pay claims on file in this case, including unsecured claims.
4. The sale is scheduled for July 1, 2021.
5. Eleven USC 1303 allows debtors in Chapter 13 to sell property free and clear of liens and encumbrances pursuant to 11 USC 363(f). Debtor's proposed sale complies in all respects that that provision of the Bankruptcy Code.
6. A copy of the contract for sale is attached hereto.

WHEREFORE, premises considered, Debtors respectfully request that this Court allow her to sell the above-described property free and clear of any liens and encumbrances, that the funds for Debtor's interest in the sale be paid directly to the Chapter 13 Trustee for distribution to claims

secured by such property, and then to priority and unsecured creditors. Debtor further requests any other relief to which she may be entitled at equity or law.

Respectfully submitted:

S/ MIKE ROSE
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ATTORNEY FOR DEBTORS

CERTIFICATE OF SERVICE

Undersigned certifies that on 6-7-21, the foregoing document was served, via United States Mail, 1st class postage pre-paid, and properly addressed to the following:

All creditors and on the attached mailing matrix

s/ MIKE ROSE
Mike Rose

Label Matrix for local noticing
1087-5
Case 18-15017
Western District of Oklahoma
Oklahoma City
Thu Feb 21 17:19:39 CST 2019

USBC Western District of Oklahoma
215 Dean A. McGee
Oklahoma City, OK 73102-3426

AT&T CORP
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c/o Becket and Lee LLP
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San Diego CA 92108-2709

Midland Funding LLC
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Warren, MI 48090-2011

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Bankruptcy Department
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Houston TX 77009-6623

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Richmond VA 23238

Internal Revenue Service
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District Director
Chicago IL 60690

Oklahoma Tax Commission
Attn: Bankruptcy Division
120 N Robinson Ste 2000
Oklahoma City OK 73102

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(u)Nationstar Mortgage LLC d/b/a Mr. Cooper

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Mailable recipients	25
Bypassed recipients	1
Total	26